BARRY J. PORTMAN 1 Federal Public Defender 2 JOHN PAUL REICHMUTH Assistant Federal Public Defender 3 555 12<sup>th</sup> St. – Ste. 650 Oakland, CA 94607-3627 Tel. 510-637-3500 4 5 Counsel for Defendant VELO-PEREZ 6 7 IN THE UNITED STATES DISTRICT COURT 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA 9 10 UNITED STATES OF AMERICA, No. CR-05-00543-CW 11 Plaintiff, <del>[PROPOSED]</del> ORDER RE-SETTING 12 DATES v. 13 TOMAS VELO-PEREZ, ERNESTO **CABRERA** 14 15 16 17 **ORDER** 18 FINDINGS OF THE COURT: 19 1. The ends of justice served by the granting of the continuance outweigh the best interests of 20 the public and the defendant in a speedy and public trial. 21 2. The continuance is required to accommodate the defendants' continuing investigation and 22 research of this case, as well as the need of the parties to exchange information. 23 IT IS HEREBY ORDERED that time continue to be excluded under the speedy trial act, 18 24 U.S.C. Section 3161(H)(8)(A) and (B). Further, upon stipulation of the parties to the above-25 26 entitled matter and good cause appearing,

IT IS HEREBY ORDERED that the PRETRIAL HEARING date of September 25, 2006, presently scheduled at 2:00 p.m., before the Honorable Claudia Wilken, be re-set for that date as a STATUS/CHANGE OF PLEA HEARING. It is further stipulated that the JURY TRIAL presently set for October 3, 2006 be vacated. 9/7/06 DATED: HON. CLAUDIA WILKEN UNITED STATES DISTRICT JUDGE